COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

AT RICHMOND, OCTOBER 30, 2002

APPLICATION OF

CAVALIER BROADBAND, LLC   CASE NO. PUC-2002-00142

For certificates of public
convenience and necessity to
provide local exchange
telecommunications services

FINAL ORDER

On July 19, 2002, Cavalier Broadband, LLC ("Cavalier Broadband" or the "Company"), filed an application for a certificate of public convenience and necessity with the State Corporation Commission ("Commission") to provide local exchange telecommunications services throughout the Commonwealth of Virginia.

By Order dated August 6, 2002, the Commission directed the Company to provide notice to the public of its application and directed the Commission Staff to conduct an investigation and file a Staff Report. On September 9, 2002, the Company filed proof of publication and proof of service as required by the August 6, 2002, Order.

On October 2, 2002, the Staff filed its Report finding that Cavalier Broadband's application was in compliance with the Rules Governing the Offering of Competitive Local Exchange

Telephone Service. Based upon its review of Cavalier

Broadband's application, the Staff determined it would be

appropriate to grant the Company a certificate to provide local

exchange telecommunications services subject to the following

conditions: (1) should Cavalier Broadband collect customer

deposits, it shall, prior to collecting any deposits, establish

and maintain an escrow account for such funds, held in a

Virginia office of a duly chartered state or national bank,

savings and loan association, savings bank, or credit union that

is unaffiliated with the Company and shall notify the Division

of Economics and Finance of the escrow arrangement at its

inception and any subsequent change to the arrangement. Any

escrow arrangement established pursuant to this requirement

shall be maintained until such time as the Staff or Commission

determines it is no longer necessary; and (2) at such time as

voice services are initiated by Cavalier Broadband, it shall

comply with all requirements of § C of the Rules Governing the

Offering of Competitive Local Exchange Telephone Service ("Local

Rules").[1]

NOW THE COMMISSION, having considered the application and

the Staff Report, finds that the Company should be granted a

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[1] 20 VAC 5-400-180.

certificate to provide local exchange telecommunications services.

Accordingly, IT IS ORDERED THAT:

(1) Cavalier Broadband is hereby granted a certificate of public convenience and necessity, No. T-595, to provide local exchange telecommunications services subject to the restrictions set forth in the Rules Governing the Offering of Competitive Local Exchange Telephone Service, § 56-265.4:4 of the Code of Virginia, and the provisions of this Order.

(2) The Company shall provide tariffs to the Division of Communications that conform to all applicable Commission rules and regulations.

(3) Should Cavalier Broadband collect customer deposits, it shall, prior to collecting any deposits, establish and maintain an escrow account for such funds, held in a Virginia office of a duly chartered state or national bank, savings and loan association, savings bank, or credit union that is unaffiliated with the Company and shall notify the Division of Economics and Finance of the escrow arrangement at its inception and any subsequent change to the arrangement. Any escrow arrangement established pursuant to this requirement shall be maintained until such time as the Staff or Commission determines it is no longer necessary.

(4) Cavalier Broadband is ordered at such time as voice services are initiated to comply with all requirements of § C of the Local Rules.

(5) There being nothing further to come before the Commission, this case shall be dismissed and the papers filed herein placed in the file for ended causes.